

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
OCTOBER 25, 1972

An adjourned regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, October 25, 1972, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - HUGHES, KATNICH,
PINKERTON, SCHAFFER
and EHRHARDT (Mayor)

Absent: Councilmen - None

Also present: City Manager Graves, Assistant City
Manager Peterson, City Attorney Mullen, Planning
Director Schroeder and Public Works Director Jones.

INVOCATION The invocation was given by Mayor Ehrhardt.

PLEDGE

Mayor Ehrhardt led the Pledge of Allegiance to the
flag.

MINUTES

On motion of Councilman Katnich, Hughes second, the
Minutes of September 20, 1972, were approved as
written and mailed.

On motion of Councilman Katnich, Pinkerton second,
the Minutes of October 4, 1972, were approved as
written and mailed.

PLANNING COMMISSION

The City Manager gave the following report of the
Planning Commission meeting of October 9, 1972:

GRACE
PRESBYTERIAN
CHURCH REQUEST
REZONING

The Planning Commission approved the request of
Grace Presbyterian Church by Reverend Vernon
Robertson for a change in zoning for the easterly
2 acres of a church site at 10 North Mills Avenue
(i.e., Lot 139, Capell Park) from the R-1, Single-
Family Residential District to the R-GA, Garden
Apartment Residential District. The matter was
set for public hearing on November 15, 1972, on
motion of Councilman Schaffer, Katnich second.

ACTIONS OF
INTEREST

The Planning Commission also took the following
actions of interest to the City Council:

1. Recommended denial of the San Joaquin
County Planning Commission referred re-
quest of Dr. Melvin E. Taves by Mr. George
Ferrero for a change in zoning from the I-PA,
Interim-Protective Agricultural District to
the C-2, General Commercial District or any
other zone permitting a shopping center for a
23-acre parcel at the southeast corner of Lower
Sacramento Road and Kettleman Lane.

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In making this recommendation the Planning Commission noted that the proposed development of a shopping center at this site was premature for the City of Lodi. It was further pointed out that no City utilities or services are available to the proposed site.

2. Continued until its rescheduled meeting of October 30, 1972, the request of Mr. Peter Croucher on behalf of Rivergate, Inc. for an extension in time on the Approved Tentative Subdivision Map for Rivergate-Mokelumne Subdivision, an approximately 47-acre tract on the north side of West Turner Road at Church Street.

3. Approved the request of Lodi Memorial Hospital for a Use Permit to construct an emergency hospital heliport on a presently-vacant parcel immediately north of Lodi Memorial Hospital at the southwest corner of West Vine Street and South Fairmont Avenue with certain conditions.

4. Clarified for the Staff and Westmont Development Company that the front courtyard fence height for zero lot line units in Phase I of the English Oaks Manor shall not exceed 6 feet.

COMMUNICATIONS

ABC LICENSE

Applications for alcoholic beverage license were received as follows:

1. Les Clayton and Douglas C. Fischer, Orle's Saloon, 114 North School Street, on-sale beer and wine eating place, new license.
2. Patricia A. and Zidan Suplaban, 100 South Main Street, on-sale general eating place, person-to-person transfer.

APPRECIATION

A note of appreciation was received from Mrs. Sam Salas acknowledging the contribution made by the City to a memorial fund in honor of former Recreation and Parks Commissioner Samuel Salas.

L. J. FISCHER

CLAIM FOR

INJURIES

REJECTED

A Claim for Personal Injuries on behalf of Leonard J. Fischer in the amount of \$2,500 was rejected on motion of Councilman Schaffer, Hughes second, and referred to the City's Agent of Record.

TAXPAYERS'

ASSOCIATION

A letter was received from Mr. Doug Carter, Executive Secretary, San Joaquin County Taxpayers' Association, Inc., 1151 West Robinhood Drive, Stockton, requesting the City Council to use revenue sharing funds for property tax relief.

PG&E - PUC

A Notice of Hearing was received in the matter of Pacific Gas & Electric Company's application for authority to adopt a fuel cost adjustment provision for inclusion in its electric tariff. The matter has been set for public hearing before the Public Utilities Commission on Wednesday, November 15, 1972, at 10:00 A.M. On motion of Councilman Schaffer, Katnich second, the City Council went on record opposing the above provision as requested by PG&E.

Minutes of October 25, 1972, continued

MOORE ADDITION
ANNEXATION
PETITION
RECEIVED

A petition was received signed by some of the owners of land proposed to be annexed to the City as the "Moore Addition." Said annexation was approved by the Local Agency Commission of San Joaquin County on September 11, 1972.

City Attorney Mullen stated that the "Annexation of Uninhabited Territory Act of 1939" had recently been declared unconstitutional by the State Appellate Court and he recommended the Council take no action on the petition at this time. On motion of Councilman Schaffer, Pinkerton second, the Council deferred action on the above petition pending clarification of the annexation procedure.

C OF C
RE XWALKS
DOWNTOWN

City Manager Graves presented a letter received from Dr. Frank V. Johnson, President of the Lodi District Chamber of Commerce, stating the Board of Directors had endorsed a proposal of the Civic Affairs Committee to request three additional crosswalks on School Street. He requested that a study be made of the proposed mid-block crosswalks as soon as possible. He also requested that the Police Department enforce regulations pertaining to vehicular traffic giving right of way to pedestrians in crosswalks and discourage jaywalking by forcing pedestrians to use crosswalks. The Council directed the staff to make a study of the pedestrians problems within the three block area on South School Street.

FUNDS FOR
LAKE PARK
EXPANSION

A letter was received from the State Department of Parks and Recreation stating the City's application for financial assistance in funding the Lodi Lake Acquisition Project had been selected by the State and would be recommended to the Bureau of Outdoor Recreation for funding under the provisions of the Land and Water Conservation Fund Act.

DRUG ABUSE
ORDINANCES
ACKNOWLEDGED

Mayor Ehrhardt stated he had received letters from the Cities of Bell Gardens, Monrovia, Madera, Los Angeles and Fontana acknowledging receipt of the two drug abuse ordinances recently adopted by the City Council.

RIFLE
RANGE

Mr. Riney Bender, 729 South Pleasant Avenue, questioned the status of the proposed Rifle Range. The City Manager said the staff was working out the details for the operation of the proposed range and a recommendation should be ready for the Council meeting on November 1.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$337,284.21 were approved on motion of Councilman Schaffer, Pinkerton second.

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<p>NO PARKING - ABANDON YELLOW ZONE - CHURCH ST.</p> <p>RES. NO. 3685</p>	<p>On motion of Councilman Katnich, Schaffer second, the City Council authorized elimination of the yellow loading zone on the west side of Church Street near Needham School and adopted Resolution No. 3685 establishing a "No Parking" zone on the east and west sides of Church Street near Needham School.</p>
<p>SPECS - TRANSFORMERS</p>	<p>On motion of Councilman Schaffer, Katnich second, the Council approved specifications for 12-kv and 6.9-kv pad-mounted transformers and authorized advertising for bids thereon.</p>
<p>HOURS - SANITARY LANDFILL</p> <p>RES. NO. 3686</p>	<p>After some discussion, on motion of Councilman Katnich, Schaffer second, the Council adopted Resolution No. 3686 stating the hours the waste disposal grounds at the Harney Lane Sanitary Landfill will be open are 8:00 A.M. to 4:30 P.M. daily, except on such holidays as may be designated by the City Manager. The Council's intent was to establish the</p>
<p>hours during the period when</p> <p>PURCHASE PROP. FROM STATE</p> <p>RES. NO. 3687 RES. NO. 3688</p>	<p>Pacific Standard Time is in effect; the Council will review this policy when Daylight Sav. Time goes into effect.</p> <p>City Manager Graves recommended the Council authorize purchase of two small parcels of land adjacent to the City property at White Slough Water Pollution Control property. He said the property is presently owned by the State and will remain within the interchange configuration after Interstate 5 is constructed. He explained the purpose for the City's purchase of this property would be to protect the City's adjacent property and to be able to control its usage. On motion of Councilman Schaffer, Hughes second, the Council adopted Resolution No. 3687 accepting from the State Division of Highways a 0.38-acre parcel on the east side of Interstate 5 Freeway adjacent to City property; purchase price to be \$150.</p>
<p>ENVIRONMENTAL IMPACT REPORTS GUIDELINES ADOPTED</p> <p>RES. NO. 3689</p>	<p>The Council, then on motion of Councilman Pinkerton, Hughes second, adopted Resolution No. 3688 accepting from the State Division of Highways a 0.52-acre parcel on the west side of Interstate 5 freeway adjacent to City property; purchase price to be \$200.</p> <p>City Manager Graves reported to the Council that the Planning staffs within the County had prepared a set of guidelines for Environmental Impact Reports and a copy had been forwarded to each Councilman prior to the meeting. The City Manager recommended the adoption of the procedural guidelines as a means of providing policy to guide the City staff in processing the requests for the complete range of permits issued by the City and which are affected by the Mono Court decision.</p> <p>Planning Director Schroeder then reviewed the guidelines for the Council. He said as the staff works with the guidelines, it will probably be necessary to make some modification to them.</p>

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After some discussion, Councilman Schaffer moved adoption of Resolution No. 3689 adopting the Environmental Impact Reports - Procedural Guidelines, dated October 25, 1972. The motion was seconded by Councilman Katnich and carried by unanimous vote.

RESCIND
BLDG PERMIT
MORATORIUM

On motion of Councilman Pinkerton, Schaffer second, the Council then rescinded its action of October 4, 1972, in which it directed the City Manager to declare a 30-day moratorium on the issuance of Building Permits and approval of Final Subdivision Maps.

AMEND ELECTRIC
SCHEDULE II

On motion of Councilman Hughes, Schaffer second, the City Council introduced Ordinance No. 988 amending Ordinance No. 781 and thereby amending Electric Schedule II.

ORD. NO. 988
INTRODUCED

TOPICS MASTER
AGREEMENT
APPROVED

The City Council, on motion of Councilman Schaffer, Katnich second, approved a master agreement between the City of Lodi and the State Division of Highways for expenditure of funds under the TOPICS program and adopted Resolution No. 3690 authorizing the City Manager to execute the same on behalf of the City.

RES. NO. 3690

TOPICS
STUDY REPORT

On motion of Councilman Schaffer, Katnich second, the Council authorized the submission of a project report of Project 3A of the TOPICS Study Report to the Division of Highways.

TOPICS R/W
CERTIFICATE

On motion of Councilman Hughes, Schaffer second, the Council adopted Resolution No. 3691 authorizing the issuance of the right of way certificate for Project 3A of the TOPICS Study Report (traffic signal at the intersection of Lockeford Street and Church Street) to the Division of Highways.

RES. NO. 3691

TOPICS -
ENVIRONMENT
STATEMENT

On motion of Councilman Schaffer, Katnich second, the Council authorized the issuance of an environmental statement for Project 3A of the TOPICS Study Report.

ESTAB.
4-WAY STOP -
PINE & HUTCHINS
STREETS

On motion of Councilman Katnich, Schaffer second, the City Council adopted Resolution No. 3692 establishing a 4-way stop at the intersection of Pine and Hutchins Streets.

RES. NO. 3692

PG&E RATE
INCREASE

City Manager Graves reported briefly on a meeting he attended in Anaheim with member cities of the Northern California Power Agency concerning the Pacific Gas and Electric Company's request for a rate increase of 22% in wholesale electric rates. He said the City's share of costs involved in opposing the rate increase would be \$2,511.60 and he recommended the City Council authorize expenditure of

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this amount. On motion of Councilman Katnich, Schaffer second, the Council approved expenditure of \$2,511.60 for the City's participation in opposing the above proposed rate increase.

WELL SITE 17

City Manager Graves presented a deed and agreement between the City of Lodi and John F. and Arvella Y. Capell and Chris R. and LaVeta Keszler for the purchase by the City of Well Site 17. The agreement provided for a total purchase price of \$1,585.00. The agreement also provided that the City will construct, at its own expense, any curb, gutter, sidewalk, driveways and street paving. On motion of Councilman Schaffer, Hughes second, the Council approved purchase of the well site as recommended and authorized the City Manager to execute the agreement on behalf of the City.

TURNAGE
MARKET
LEASE

The City Manager stated he had been negotiating with the partnership interested in leasing the Turnage Market building. He said an agreement had been reached and he recommended approval of it. On motion of Councilman Schaffer, Katnich second, the Council authorized the City Manager to negotiate and sign the lease agreement for the lease of the Turnage Market.

REMODELING
CITY HALL

Councilman Schaffer said the City Council was concerned with improving the efficiency of City Hall and he recommended an architect be employed to prepare plans for the remodeling of the upstairs portion. He then moved that Mr. Arlie Preszler, architect, be retained to prepare plans for the Council's consideration as soon as possible. The motion was seconded by Councilman Katnich and carried by unanimous vote.

ORDINANCES

DAY CARE
HOMES

ORD. NO. 985
ADOPTED

ORDINANCE NO. 985, entitled, "AN ORDINANCE AMENDING CHAPTER 27 OF THE CODE OF THE CITY OF LODI THEREBY PERMITTING 24-HOUR FOSTER CARE HOMES AND FAMILY DAY CARE HOMES AS DEFINED BY THE SAN JOAQUIN COUNTY DEPARTMENT OF ASSISTANCE IN THE R-1, R-2, AND R-LD DISTRICTS," having been introduced at a regular meeting on October 4, 1972, was brought up for passage on motion of Councilman Katnich, Hughes second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - HUGHES, KATNICH,
PINKERTON, SCHAFFER
and EHRHARDT

Noes: Councilmen - None

Absent: Councilmen - None

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CENTURY
ARMS, INC. -
PD-4

ORD. NO. 986
ADOPTED

ORDINANCE NO. 986, entitled, "AN ORDINANCE AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI BY AMENDING ORDINANCE NO. 938 BY INCREASING THE DENSITY OF PARCEL G-1 OF ENGLISH OAKS MANOR LOCATED WITHIN PLANNED DEVELOPMENT DISTRICT NO. 4 (PD-4)," having been introduced at a regular meeting on October 4, 1972, was brought up for passage on motion of Councilman Schaffer, Katnich second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - HUGHES, KATNICH,
PINKERTON, SCHAFFER
and EHRHARDT

Noes: Councilmen - None

Absent: Councilmen - None

SANITARY
LANDFILL
FEES

ORD. NO. 987

At its meeting of October 4, 1972, the City Council introduced Ordinance No. 987 amending Section 11-12 of the Lodi City Code by establishing fees to be paid by all users of the Harney Lane Sanitary Landfill and amending the basic rate. City Attorney Mullen reported he had apprised the County Counsel's office of the Council's action prior to this meeting. He said he had, on this date, received correspondence from Mr. Cheadle of the County Counsel's office requesting that the Council delay action on adoption of the proposed ordinance for one week. He said the County had requested that Mr. Cheadle, County Administrator L. Drake, City Manager Henry Graves, and City Attorney Robert Mullen meet together to try to reach an agreement within the terms of the present agreement prior to the Council meeting next week.

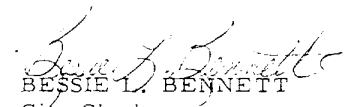
After discussion by the Council, Councilman Schaffer moved action on the adoption of Ordinance No. 987 be deferred until the next regular meeting of the Council on November 1, 1972. The motion was seconded by Councilman Hughes, and carried with Councilman Katnich voting no.

EXECUTIVE
SESSION -

At approximately 10:20 P.M. the Council adjourned to an Executive Session. The Council reconvened at 10:35 P.M.

ADJOURNMENT

There being no further business, the meeting was adjourned at 10:35 P.M.

Attest: 
BESSIE L. BENNETT
City Clerk